

0002

Outgoing

C0070012

R

**From:** Steve Demczak  
**To:** Patrick Collins; Suzanne Steab  
**Date:** 3/23/2010 7:37 AM  
**Subject:** Insp.  
**Attachments:** 20100323065313.pdf



The State of Utah

Department of  
Natural Resources

Division of  
Oil, Gas & Mining

ROBERT L. MORGAN  
Executive Director

LOWELL P. BRAXTON  
Division Director

OLENE S. WALKER  
Governor

GAYLE F. McKEACHNIE  
Lieutenant Governor

Representatives Present During the Inspection:

Company Patrick D. Collins Resident Agent

OGM Steve Demczak Environmental Scientist III

# Inspection Report

|                  |                             |
|------------------|-----------------------------|
| Permit Number:   | C0070012                    |
| Inspection Type: | COMPLETE                    |
| Inspection Date: | Thursday, February 04, 2010 |
| Start Date/Time: | 2/4/2010 10:00:00 AM        |
| End Date/Time:   | 2/4/2010 4:00:00 PM         |
| Last Inspection: | Thursday, November 04, 2010 |

Inspector: Steve Demczak, Environmental Scientist III

Weather: Sunny, Snow Covered 12 inches, Low 30's

InspectionID Report Number: 2267

Accepted by: jhefric

3/22/2010

Permittee: **NEVADA ELECTRIC INVESTMENT CO**

Operator: **NEVADA ELECTRIC INVESTMENT CO**

Site: **WELLINGTON PREPARATION PLANT**

Address: **330 E 400 S STE 6, PO BOX 337 SPRINGVILLE UT 84663**

County: **CARBON**

Permit Type: **PERMANENT COAL PROGRAM**

Permit Status: **ACTIVE**

Current Acreages

|          |                 |
|----------|-----------------|
| 1,573.50 | Total Permitted |
| 392.00   | Total Disturbed |
|          | Phase I         |
|          | Phase II        |
|          | Phase III       |

Mineral Ownership

- ☐ Federal  
☐ State  
☐ County  
☒ Fee  
☐ Other

Types of Operations

- ☐ Underground  
☐ Surface  
☒ Loadout  
☒ Processing  
☐ Reprocessing

Report summary and status for pending enforcement actions, permit conditions, Division Orders, and amendments:

No violations were issued.

Permittee has received approval to conduct slurry pond inspections on a monthly basis instead of weekly from MSHA.

Inspector's Signature:

*Steve Demczak*  
Steve Demczak, Environmental Scientist III

Inspector ID Number: 39

Date Thursday, February 11, 2010

Note: This inspection report does not constitute an affidavit of compliance with the regulatory program of the Division of Oil, Gas and Mining.

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## Inspection Continuation Sheet

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### REVIEW OF PERMIT, PERFORMANCE STANDARDS PERMIT CONDITION REQUIREMENTS

1. Substantiate the elements on this inspection by checking the appropriate performance standard.
  - a. For COMPLETE inspections provide narrative justification for any elements not fully inspected unless element is not appropriate to the site, in which case check Not Applicable.
  - b. For PARTIAL inspections check only the elements evaluated.
2. Document any noncompliance situation by reference the NOV issued at the appropriate performance standard listed below.
3. Reference any narratives written in conjunction with this inspection at the appropriate performance standard listed below.
4. Provide a brief status report for all pending enforcement actions, permit conditions, Division Orders, and amendments.

|  | Evaluated                           | Not Applicable                      | Comment                             | Enforcement              |
|--|-------------------------------------|-------------------------------------|-------------------------------------|--------------------------|
| 1. Permits, Change, Transfer, Renewal, Sale                      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 2. Signs and Markers   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 3. Topsoil   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4.a Hydrologic Balance: Diversions                               | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4.b Hydrologic Balance: Sediment Ponds and Impoundments          | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4.c Hydrologic Balance: Other Sediment Control Measures          | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4.d Hydrologic Balance: Water Monitoring                         | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 4.e Hydrologic Balance: Effluent Limitations                     | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 5. Explosives  | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/> |
| 6. Disposal of Excess Spoil, Fills, Benches                      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/> |
| 7. Coal Mine Waste, Refuse Piles, Impoundments                   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 8. Noncoal Waste   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 9. Protection of Fish, Wildlife and Related Environmental Issues | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/> |
| 10. Slides and Other Damage                                      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 11. Contemporaneous Reclamation                                  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/> |
| 12. Backfilling And Grading                                      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/> |
| 13. Revegetation   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/> |
| 14. Subsidence Control   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/> |
| 15. Cessation of Operations                                      | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/> |
| 16.a Roads: Construction, Maintenance, Surfacing                 | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/> |
| 16.b Roads: Drainage Controls                                    | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/> |
| 17. Other Transportation Facilities                              | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/> |
| 18. Support Facilities, Utility Installations                    | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 19. AVS Check  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/> |
| 20. Air Quality Permit   | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/> |
| 21. Bonding and Insurance  | <input checked="" type="checkbox"/> | <input type="checkbox"/>            | <input checked="" type="checkbox"/> | <input type="checkbox"/> |
| 22. Other  | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/>            | <input type="checkbox"/> |

**1. Permits, Change, Transfer, Renewal, Sale**

The permittee has received a new UPDES Permit #UTG040010. This permit will expire on April 30, 2013. AIR Quality Permit is DAQE-92.

**2. Signs and Markers**

Identification signs are posted at the gates to the property. Information meets the requirements of the R645 Coal Rules.

**3. Topsoil**

The topsoil pile were snow covered. There is no apparent signs of wind or water erosion.

**4.a Hydrologic Balance: Diversions**

The diversions were snow covered. There is little snow melt occurring.

**4.b Hydrologic Balance: Sediment Ponds and Impoundments**

The permittee conducted annual sediment pond inspections in the fourth quarter of 2009. The inspection was done on 11/23/2010. I inspected the sediment ponds and did not see any hazardous conditions. The MSHA monthly inspection were taken and no hazardous condition reported.

**4.c Hydrologic Balance: Other Sediment Control Measures**

Silt fence were inspected and appear to be entacted.

**4.d Hydrologic Balance: Water Monitoring**

Water monitoring was taken for the fourth quarter of 2009. The third quarter water data was submitted to the Division.

**4.e Hydrologic Balance: Effluent Limitations**

There was no discharge for the third and fourth quarter of 2009.

**7. Coal Mine Waste, Refuse Piles, Impoundments**

The refuse pile was inspected on Nov. 11, 2009. The document is P.E. certified. No hazardous conditions were reported. The refuse and slurry piles are snow covered.

**8. Noncoal Waste**

The site is snow covered.

**10. Slides and Other Damage**

No slides or other damage was noticed during the inspection.

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**Inspection Continuation Sheet**

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**18. Support Facilities, Utility Installations**

The site is not active.

**21. Bonding and Insurance**

The insurance policy will expire on Feb 9, 2011. The policy is afforded by Colony Ins. Co.. The insurance accord form was reviewed and meets Division requirements. The bonding amount is \$5,153,000.